IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1014 OF 2007
IN
CRIMINAL APPEAL NO.651 OF 2006

Javed Rashid Tamboli ..Applicant
Vs.
State of Maharashtra ..Respondent

Mr.S.A.Ingawale for the Applicant
Mr.A.R.Patil, A.P.P.for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
SMT.R.S.DALVI,JJ.
DATE : 18TH OCTOBER,2007

P.C.

1. Heard the learned A.P.P.for the State.

Perused the evidence as well as the Trial Court Judgment, whereby the Applicant has been convicted for the offence punishable under Section 302 of the Indian Penal Code. There are two eye witnesses viz.P.W.No.1 Sunanda Shikharam Nalla and P.W.No.5 Sachin Bande who have corroborated each other. These two eye witnesses have clearly stated that the Applicant Javed was inflicting blow on the right neck of the deceased with a sword. Even the Medical Evidence clearly corroborates the same. Under the aforesaid facts and circumstances of the case it cannot be said that the conviction is based on no legal evidence. Hence, we are not inclined to grant bail in the above. The application for bail stands dismissed. However, we are inclined to expedite the hearing of the Appeal.

2. Hearing of the above Appeal is expedited.

(SMT.R.S.DALVI,J.) **(DR.S.RADHAKRISHNAN,J.)**